

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

THOMAS FRANK HAWKINS, # 200570

Petitioner,

Case No. 09-cv-12289

v.

HONORABLE STEPHEN J. MURPHY

LLOYD RAPELJE,

Respondent.

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**ORDER DENYING PETITIONER'S MOTIONS FOR APPOINTMENT OF  
COUNSEL (docket no. 15) AND FOR ORAL ARGUMENTS (docket no. 16)**

Petitioner Thomas Frank Hawkins has filed a *pro se* habeas corpus petition challenging his state conviction for criminal sexual conduct in the first degree. He raises four claims regarding the use of "prior acts" testimony at his trial in Mecosta County Circuit Court. The State argues in an answer to the petition that Hawkins's claims lack merit and are not cognizable on habeas review. Pending before the Court are Hawkins's motions for appointment of counsel and for oral arguments.<sup>1</sup>

"[T]here is no constitutional right to counsel in habeas proceedings," *Post v. Bradshaw*, 422 F.3d 419, 425 (6th Cir. 2005) (citing *Coleman v. Thompson*, 501 U.S. 722, 752-53 (1991)), and no need for oral arguments, discovery, or an evidentiary hearing in this case. Furthermore, the interests of justice do not require the appointment of counsel here. See 18 U.S.C. § 3006A(a)(2)(B).

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<sup>1</sup> Hawkins moved once already for oral arguments. The Court denied his request. See Order of April 12, 2010, 1-2 (docket no. 13).

**WHEREFORE**, it is hereby **ORDERED** that Hawkins's motions for appointment of counsel (docket no. 15) and for oral arguments docket no. 16) are **DENIED**.

**SO ORDERED.**

s/Stephen J. Murphy, III  
STEPHEN J. MURPHY, III  
United States District Judge

Dated: January 13, 2011

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 13, 2011, by electronic and/or ordinary mail.

s/Alissa Greer  
Case Manager